

Camden County Board of Commissioners

**Regular Meeting
February 19, 2007
7:00 P.M.
Historic Courtroom
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, February 19, 2007 at 7:00 p.m. in the Historic Courtroom, Camden, North Carolina. The following members were present:

Chairman Jeffrey B. Jennings
Vice Chairman Philip Faison
Commissioners Melvin J. Jeralds, Carolyn O. Riggs, and Mike Andrews

Also attending was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and County Attorneys Courtney Hull and John S. Morrison.

Chairman Jeffrey Jennings called the meeting to order. Commissioner Melvin Jeralds gave the invocation and led the Pledge of Allegiance.

Public Comments

Chairman Jeffrey Jennings called for any comments from the public.

Bill Norton, 339 Lambs Road, spoke concerning the use of the telephone for advertising of fundraisers by Cooperative Extension and suggested that they have their own phone line.

Consideration of Minutes - February 5, 2007 – Regular Meeting

Commissioner Melvin Jeralds made a motion to approve the minutes of the February 5, 2007 regular meeting subject to correction of technical and typographical errors. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

Chairman Jeffrey Jennings amended the agenda as follows: 8. *New Business H.I. Resolution No. 2007*, 8. *New Business I. Set Bid Date for Surplus Sale*, and 16. *C. Closed Session – Industrial Recruitment*.

Commissioner Philip Faison made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Video System Estimate – Camden County School

Following discussion, Commissioner Philip Faison made a motion to table this matter until more information is provided to the Board. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Courthouse – Shiloh Fire Commission – Purchase of Fire Truck

Commissioner Mike Andrews made a motion to go into public hearing to receive comments from the public regarding the purchase of a fire truck by the Courthouse – Shiloh Fire Commission. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Jeffrey Jennings called for any comments from the public.

Hearing no comments, Commissioner Melvin Jeralds made a motion to close the public hearing. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Ordinance No. 2007-01-01 – An Ordinance of the Camden County Board of Commissioners Regarding Adequate Public Facilities (Recessed Public Hearing)

Chairman Jeffrey Jennings called the January 16, 2007 recessed public hearing to order.

Planning Director Dan Porter reviewed the exceptions and key issues in Ordinance No. 2007-01-01.

Chairman Jeffrey Jennings called for any comments from the public.

Ron Melchiorre, Lauren Lane, stated he would like the Tischler Study performed on a continuous basis to tract growth in Camden County.

There being no further comments from the public, Commissioner Philip Faison made a motion to close public hearing on Ordinance 2007-01-01. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Special Use Permit Application – UDO 2006-11-24- Athletic Field

Commissioner Mike Andrews made a motion to go into public hearing to receive comments from the public regarding UDO 2006-11-24. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Planning Board met on December 20, 2007 and recommended approval on a 6-0 vote with conditions as recommended in the Findings of Facts as this Special Use Permit application is in conformity with the Land Use Plan.

Planning Director Dan Porter was sworn in by the Clerk to the Board and gave the following testimony:

“The county proposes to build an athletic field and park in Camden which is adjacent to the Community Park near the Intermediate School that is being built. The zoning for the area is Community Core District and agricultural land. A public or private outdoor recreation facility requires a special use permit. The land is approximately 31 acres and will include a track and field facility surrounding a football soccer field, inside running tract, picnic shelter, pavilion and walking trails and outdoor space. Staff and Planning Board reviewed the application and recommended approval on a 6-0 vote. The only additional condition beyond the standard conditions is that no construction will take place until the county receives an approved soil and erosion control plan and stormwater permit from the state. Both have been applied for and we have received approval of the soil and erosion control plan and are expecting stormwater permit approval soon.”

Chairman Jeffrey Jennings called for any comments from the public.

Hearing no comments, Commissioner Mike Andrews made a motion to close the public hearing. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing - Ordinance No. 2007-01-02 – Rezoning Application – John B. Green – UDO 2006-11-28

Chairman Jeffrey Jennings acknowledged for the record that applicant Mr. John B.Green was present.

Commissioner Melvin Jeralds made a motion to go into public hearing to receive comments regarding UDO 2006-11-28. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Director Dan Porter stated the Camden County Planning Board met on October 18, 2006 and recommended approval on a 6-0 vote to rezone applicant properties identified by PIN 03-8972-00-23-7327 and 03-8972-00-23-7527 from General Use District (GUD) to Mixed Single Family Residential (R2). Planning Board recommend approval to include adjacent properties identified in letter provided by applicant identified by PIN's 03-8972-00-23-5612, 03-8972-00-23-2621 and 03-8972-00-23-1293. Staff recommended to the Planning Board to include the three (3) other lots identified by PIN's 03-8972-00-23-4364, 03-8972-00-23-3342 and 03-8972-00-23-3679. Staff stated that a certified letter will be sent informing property owner's of proposed rezoning.

The basis for recommendation are that the requested rezoning is in compliance with the Land Use Plan Policy supporting quality development, reflecting the spectrum of housing needs from low-end (affordable) residences to high-end (luxury) residences.

This matter was set for public hearing at the January 16, 2007 Commissioners meeting and advertised in the Daily Advance.

Chairman Jeffery Jennings called for comments from the public.

Hearing no comments, Commissioner Mike Andrews made a motion to close the public hearing. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Resolution No. 2007-02-02 – A Resolution of the Camden County Board of Commissioners Approving A Tax Exempt Loan From First-Citizens Bank & Trust Company to the South Camden Volunteer Fire Department

Commissioner Melvin Jeralds made a motion to approve Resolution No. 2007-02-02, Commissioner Mike Andrews seconded. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2007-02-02 reads as follows:

Resolution No. 2007-02-02

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
APPROVING A TAX EXEMPT LOAN FROM
FIRST-CITIZENS BANK & TRUST COMPANY TO THE
SOUTH CAMDEN VOLUNTEER FIRE DEPARTMENT**

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of Camden County, North Carolina does hereby approve (within the scope of the qualifying language set forth below) a

tax-exempt loan to the South Camden Volunteer Fire Department (the “VFD”) from First-Citizens Bank & Trust Company in the principal amount of \$325,000.00, which loan is for the following purpose and this loan is with the approval of the Courthouse and Shiloh Fire Commission:

1. the purchase by the VFD of a fire truck, and

which fire truck will be owned and operated by the VFD at the following address:

114 Sawyer’s Creek Road
Camden, North Carolina 27921

RESOLVED, FURTHER, that the approval of the loan to the VFD set forth above is given solely for purposes of the public approval requirements for tax-exempt financing applicable to the VFD because of Section 150(e)(3) and Section 147(f) of the Internal Revenue Code of 1986, as amended, and such approval does not obligate the County or its Board of Commissioners in any way regarding repayment of the debt.

Adopted this the 19th day of February, 2007.

(SEAL)

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

Consideration of Ordinance No. 2007-01-01 – An Ordinance of the Camden County Board of Commissioners Regarding Adequate Public Facilities

Following discussion, Commissioner Carolyn Riggs made a motion to not exempt parent to child land transfers in Ordinance No. 2007-01-01 stating that the idea behind this is that the school is the determining factor. If that school has the capacity, it is going to ok the building permit regardless of whether a child has a parent who has lived here forever and owns land or if they are new residents of Camden County. The space in the school is what it is; it is either there or it’s not. Commissioner Carolyn Riggs further stated that the Board needs to yield to the School Board’s determination on each and every request.

Chairman Jeffrey Jennings confirmed with Commissioner Carolyn Riggs that her motion is to not include the parent child exemption in the ordinance. Commissioner Carolyn Riggs responded affirmatively.

Chairman Jeffrey Jennings called for a vote. The motion failed with Commissioners Melvin Jeralds, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting no; Commissioner Carolyn Riggs voting aye; no Commissioner absent; and no Commissioner not voting.

County Attorney John Morrison stated the consensus of the Board was to include the parent child exemption and advised that the reason for doing so should be included in the record.

Commissioner Mike Andrews stated that he wished to keep the family unit together and further stated that including the parent child exemption would strengthen the family units and the future of Camden County.

Commissioner Philip Faison stated the reason he wanted the parent child exemption included in the ordinance was because the child would have an affordable piece of property and further stated that once the children are educated outside of the area, it is beneficial to the county for educated entrepreneurial individuals to return to Camden County and be an asset to the county in their career.

Chairman Jeffrey Jennings stated that the Board of Commissioners have been summoned by taxpayers of Camden County to retain the rural atmosphere as much as possible, even though that seems to be a harder job all the time, and a lot of landowners in this county operate businesses in this county. Chairman Jeffrey Jennings stated that if it is difficult

for the children to come home and keep those businesses running, then those businesses will dissolve because the children cannot be here to help run those businesses. Chairman Jeffrey Jennings further stated that it becomes a matter of economics.

Commissioner Melvin Jeralds stated he agreed with Chairman Jennings and it would benefit the county to have the children move back here if their parents could afford to give them a lot in order to retain them and use their skills to benefit the area.

Commissioner Mike Andrews made a motion to collect advancement of capacity fees at final plat approval stage. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Carolyn Riggs made a motion to change the automatic review and approval of an initial applicant for a certificate of adequacy from five (5) years to ten (10) years. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Director Dan Porter asked the Board for clarification regarding reserved capacity and proposed that reserved capacity be defined as the average annual increase in school membership over the last three (3) years.

Commissioner Melvin Jeralds made a motion to approve clarification of reserved capacity as the average annual increase in school membership over the last three (3) years. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Mike Andrews made a motion to approve Ordinance No. 2007-01-01 with the inclusion of the approved amendments to be effective upon the expiration of the existing subdivision moratorium ordinance on April 2, 2007. Motion passed.

Approved Ordinance No. 2007-01-01 reads as follows:

Ordinance No. 2007-01-01

**AN ORDINANCE OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
REGARDING ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO)**

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Purpose, Intent, and Findings

A) The North Carolina Constitution has established, and the North Carolina Supreme Court has reaffirmed, that “every child has a fundamental right to sound basic education,” reflected in the North Carolina state constitutional requirement “that every child in the state have equal access to sound basic education.” Moreover, it is North Carolina State Government’s responsibility to provide this opportunity to every child by operating a “general and uniform system of schools in which equal opportunities shall be provided for all students.” Leandro v. State of North Carolina, 346 N.C. 336, 347, 488 S.E.2d 249, 255 (1997).

B) Public schools are the responsibility of both state and local government. The State has delegated in part to counties this responsibility. The County of Camden (the “County”) is such a geographic subdivision of the State, and is mandated by law to operate school facilities. Specifically, the Camden County Board of Education is authorized and obligated for the provision of such facilities.

C) Although the public school system is primarily financed by the State, the average county allocates nearly a third of its funds for the operation of the public schools. Currently, Camden allocates approximately \$1,106,158 for the school’s expenses; \$744,764 for existing debt; \$200,000 for other capital outlay; and \$754,345 for the new school. Camden’s current total annual school contribution for operations and debt service is \$3,108,315.

D) The public costs associated with the rapid pace of residential development and the related burden on the County’s School System jeopardize the County’s ability to provide the Constitutionally mandated education.

- a. The annual growth rate of the County, in spite of the existing moratorium is currently 7%. The estimated growth rate between the 2000 and 2005 census was 30%.
- b. During the school year 2003-2004, total enrollment at the County’s three schools (Camden County High School, Camden County Middle School, and Grandy Primary School) was 1,582. The County’s school enrollment is currently: Grandy: 844 with

capacity of 723/783; Middle: 434 with a capacity of 504/564; and High: 528 with a capacity of 510/585.

- c. Based on estimated student generation rates developed by Tischler & Associates, Fiscal, Economic, and Planning Consultants, hired by Camden County in the report titled School Voluntary Mitigation Payments, the average student generation for elementary school for detached units is .20; for middle school .12; and for high school: .12. The total for all detached units and all other housing types for the whole school system is .44 students per housing unit.

E) The purpose of this ordinance is to protect the health, safety, and welfare of all County residents, but particularly the County's children by ensuring that adequate, Constitutional, school facilities are available to all children in Camden County, and that such facilities are available concurrent, or roughly concurrent, with the demand for school facilities created by new development.

F) Pursuant to North Carolina General Statutes Chapter 153A, the County is empowered to implement land use and associated regulations that protect the health, safety, and welfare of its citizens. Camden County adopts this ordinance pursuant to its police power, zoning authority, and is authority to regulate subdivisions.

Specifically, the County's authority to regulate based on its police powers is found in N.C.G.S. § 153A-121, General Ordinance-Making Power, where it is stated in section (a): "A county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county."

The County's authority to regulate through zoning powers is found in N.C.G.S. § 153A-340, Grant of Power, where it is stated in section (a): "For the purpose of promoting health, safety, morals, or the general welfare, a county may adopt zoning and development regulations ordinances." The County's power to regulate through zoning is also found in N.C.G.S. § 153A-341, Purposes in View, where it is stated: "Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient an adequate provision of transportation, water, sewerage, *schools*, parks, and other public requirements."

The County's power to regulate subdivisions is found in N.C.G.S. § 153A-331, Contents and Requirements of Ordinance, where it is stated in section (a): "A subdivision control ordinance may provide for the orderly growth and development of the county; for the coordination of transportation networks and utilities within proposed subdivisions with existing or planned streets and highways and with other public facilities; ... and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions that substantially promote public health, safety, and the general welfare."

G) In order to provide for the orderly growth of Camden County and to protect the health, safety, and welfare of its citizens, the County adopted an Advanced Core CAMA Land Use Plan for Camden County on April 4, 2005. Camden County's Community vision, which is set forth in this plan, designates Camden as an "area of controlled growth designed to maintain its rural and cultural heritage." The vision statement further provides: "The County will provide improved infrastructure, quality subdivisions, and expanded recreational opportunities." Finally, "Future development will have as its foundation the preservation of Camden County's quality of life, including its natural resources. Camden County will *maintain a quality school system with no overcrowding of schools.*"

H) Specifically, in regards to the County's ability to provide adequate public facilities, the County adopted, under its Code of Ordinances, Title XV: Land Usage, § 151.346. This statute provides the County Commissioners with the discretion to deny a conditional or special use permit even if the proposed development complies with the County's permit requirements if the Commissioners find that the development:

- 1) Will materially endanger the public health or safety;
- 2) Will substantially injure the value of adjoining or abutting property;
- 3) Will not be in harmony with the particular neighborhood or area in which it is to be located (even though the proposed use and surrounding uses are generally permissible in the same district and therefore usually compatible);
- 4) Will not be in general conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the board; or
- 5) Will *exceed the County's ability to provide adequate public facilities, including, but not limited to schools, fire and rescue, law enforcement, and other County facilities.*

I) Pursuant to N.C.G.S. § 153A-341, prior to adopting or rejecting any zoning amendment, a County's governing board shall adopt a statement describing whether its action is consistent with an adopted Comprehensive Plan and explaining why the board considers the action taken to be reasonable and in the public interest. The County finds that the provisions of N.C.G.S. § 153A-341 comply with the North Carolina General Assembly's recognition of the importance of the Comprehensive Plan in guiding land development in North Carolina Counties.

J) Other North Carolina local governments which have adopted adequate public facilities ordinances specifically in regards to schools are: Cabarrus County, Currituck County, Davidson County, Franklin County, Orange Counties, and the Towns of Davidson and Harrisburg.

K) The County adopted a Capital Improvement Program (CIP) in March 20, 2006, addressing four main categories: public school projects, County facilities, water and sewer projects, and economic development projects. The County intends to assure property owners and developers of property for residential use, through the implementation of this plan for schools associated with this Ordinance, that adequate school facilities will be put in place based on a schedule of capital improvements reasonably related to projected facilities need.

L) In Camden County's Advanced Core CAMA Land Use Plan (LUP), it is set forth as a policy: "Camden County supports regulating growth to coincide with the provision of public facilities and services."

M) It is further set forth in Camden County's LUP in regards to implementing actions: "Camden County will permit residential development to occur in response to market needs provided that the following criteria are met:

- 1) Due respect is offered to all aspects of the environment.
- 2) If deficient community facilities and services are identified, the County should attempt to improve such to the point of adequately meeting demands.
- 3) Additional residential development should concurrently involve planning for improvements to community facilities and services if excess capacity does not exist within those facilities and services.
- 4) Residential development is consistent with other Camden County policies and the land use map as contained in this plan update."

N) Currently, Camden County only has one school district. As such, each student who becomes enrolled in the school system affects the entire school system. However, since each school (elementary, middle, and high) has different capacity numbers and different costs necessary to reach capacity, it is necessary to view each school individually in order to properly arrive at accurate numbers for determining capacity. In addition to school sites and facilities, the Camden County Public Schools also have capital facilities and equipment that serve all school levels and, therefore, respond to a system-wide demand. These facilities and equipment include administrative and support buildings (and associated sites), school buses, and portable classrooms as presented in the School Voluntary Mitigation Payment report by Tischler & Associates. Due to all of the foregoing reasons, advance of capacity cost is determined by the Administrator as to the entire Camden County Public School System, rather than based on each individual school. The only time each school is considered individually, is for calculation purposes in the determination of adequate capacity and needs.

O) Camden County's Capital Improvement Program (CIP) represents the community's commitment to fund public facilities that are or may become inadequate. The County, through the use of its CIP, addresses existing infrastructure deficiencies, and hereby adopts this program in good faith, intending to use its best efforts to ensure that the APFO is followed in accordance with the CIP.

P) The County hereby identifies Camden Schools Capital Needs Study (CSCNS) and adopts same into Camden County CIP (see Attachment B).

Identification of Types of Facilities Considered.

At this time, this Adequate Public Facilities Ordinance is considered and directed only at school facilities. Camden County reserves the right to later add other facilities to this Ordinance if it is determined by the Camden County Board of Commissioners (BOC) that further protection is needed to prevent growth from outstripping the provision of certain other facilities.

Definitions.

- A) **Applicant.** Any person, corporation, or entity who submits an application that is subject to this Chapter.
- B) **Available.** "Available" means that a Public Facility (here school) either: (1) exists and is operational, or (2) the Public Facility is planned and funded capacity that is included in the methodology for determining compliance with this Chapter for schools.
- C) **Average Daily Membership** – Enrollment as determined monthly by the superintendent of schools.
- D) **Capital Improvements Program (CIP).** A plan that describes the capital improvements that will be provided over a given time period. A "Capital Improvements Program" may refer either to the plan for a particular service area or to the aggregation of capital improvements and the associated costs programmed for all service areas for a particular category of public facilities.
- E) **Certificate of Adequate Public Facilities (CAPS).** The certificate the Administrator issues to the applicant after he makes a finding that adequate Public Facilities (schools here) exist to support the impact of development.
- F) **Committed Capacity.** Student enrollment attendance for each Camden County Public School as of October 2006 plus reserve capacity.
- G) **Facility Capacity.** The maximum demand that can be accommodated by a Public Facility (schools here) without exceeding the Level of Service.
- H) **Level of Service (LOS).** Level of Service indicates the capacity per unit of demand for each public facility (schools here). It is an indicator of the extent or degree of services provided by a facility. This indicator is based upon and related to the operational characteristics of the facility.
- I) **Reserve Capacity.** The average annual increase in school enrollment for each school over the most recent 3-year period as reported by the school superintendent based on the October enrollment report for each year. This reserve capacity represents the students projected to be generated by permitted development that is expected to proceed to construction and occupancy over a given time period.

Abbreviations.

- 1) APFO – Adequate Public Facilities Ordinance
- 2) CIP – Capital Improvement Program
- 3) CAPS – Certificate of Adequate Public Facilities
- 4) LOS – Level of Service
- 5) BOC – Board of Commissioners
- 6) AOC – Advancement of Capacity
- 7) UDO – Unified Development Ordinance
- 8) LRP – Long Range Facilities Plan
- 9) BOA – Board of Adjustment
- 10) MOU – Memorandum of Understanding
- 11) LUP - Camden County's Advanced Core CAMA Land Use Plan
- 12) CSCNS – Camden Schools Capital Needs Study
- 13) LSSACF – Camden County Adequate Public Facilities Ordinance Level of Services Standard and Advancement of Capacity Formula

Certificate of Adequate Public School Facilities and Exempt Facilities.

A) The Camden County Board of Commissioners hereby establishes that, except as provided otherwise herein, each application for preliminary/final plat approval (in the case of a subdivision) or each building permit for the development of property for a residential use not located in a subdivision, must be accompanied by a Certificate of Adequate Public School Facilities (CAPS). Prior to the issuance of a CAPS, the County must make a finding that adequate public school facilities exist to support the expected student load generated by the subject parcel.

B) The Board of Commissioners, concurrent with the adoption of this ordinance, has established the methodology through which the County will determine adequate school capacity, known as the Camden County Adequate Public Facilities Ordinance Level of Services Standard and Advancement of Capacity Formula (LSSACF).

C) Recognizing the need for administrative ease and technical expertise in the issuance of a CAPS, the BOC hereby delegates to the County Manager, or his designee (the "Administrator") the responsibility for the issuance of CAPS pursuant to the terms and provisions of this ordinance, and in keeping with the standards established by the Board of Commissioners as set forth in Attachment A to this ordinance.

D) **Exceptions.** It is the policy of this County that only such residential development as will reasonably require school facilities will be subject to the terms of this ordinance. Thus, certain residential uses which have been previously approved or which have been deemed by the BOC to be of minimal impact on school facilities shall be exempt from the requirements of this ordinance. This ordinance does not apply to any use, development, project, structure, fence, sign or activity that does not create an impact on Public School Facilities. At this time, the BOC has specifically found that the BOC has been summoned by the Camden County tax-payers to retain the rural atmosphere. Many landowners in Camden County operate businesses and it has proven difficult for their children to come home to keep those businesses running due to the high cost of living in Camden County. As such, the BOC feels that due to the aid an exemption for parent to child transfers would provide to the economic structure of Camden County, coupled with the fact that the occurrence of these transfers are infrequent, resulting in a minimal impact on the school system, this exemption achieves a compelling governmental interest. The following is a list of exemptions the BOC has determined to be of minimal impact on school facilities:

- 1) Residential housing units located within a subdivision, as defined by the UDO, that received preliminary plat and/or final development approval prior to the time of adoption of this ordinance; provided, however, that 365 days from the date of adoption of this ordinance, such exemption shall expire if no application for final plat or building permit has been submitted to the County for review; and
- 2) Redevelopment of existing residential units and additions to existing residential units; and
- 3) Residential development permanently restricted to dormitory housing for university students or age restricted units that cannot be permanently occupied by residents under fifty-five (55) years of age.
- 4) The gift by a property owner of a single lot to each of the property owner's children or parents, provided that:
 - (a) Lots created under this section shall be titled in the name of the immediate family member for whom the subdivision is made, for a period of no less than five years or until their 18th birthday (whichever is greater), unless lots are subject to an involuntary transfer, such as by foreclosure, death, judicial sale, condemnation or bankruptcy.
 - (b) If the original lot or parcel does not front on a publicly dedicated, recorded and maintained street, or an easement recorded prior to January 1, 2006, it shall have reasonable right-of-way, not less than 45 feet in width, providing ingress and egress to a dedicated, recorded public street.
 - (c) The plat shall be signed by all persons having any real property interest in any land included within the subdivision, including required rights-of-way.

Level of Service and Criteria for CAPS Determination

- A) The Level of Service (LOS) Standard applied by this Ordinance is 100% of Facility Capacity.

B) The Board of Commissioners shall set a student generation rate for the methodology set forth in the capacity formula, which is in turn set forth in LSSACF and such rate shall be applied to each new residential unit to which this ordinance applies.

C) If facility capacity for any school facility type (i.e.: elementary, middle, or high) is exceeded or will be exceeded by the calculated impact of the proposed development, a CAPS shall not be issued and development and/or recordation of final plat shall not proceed, except in accordance with the provisions set forth in this Ordinance.

D) All preliminary plat approval requests, final plat approval requests, and building permit approval requests subject to this Ordinance will be submitted to the Administrator for a CAPS determination. The Administrator shall use the following formulas in establishing CAPS eligibility:

Current Committed Capacity + Projected Number of Students Generated Associated with Development Proposal = Projected Student Capacity

Projected Student Capacity must be less than, or equal to, Facility Capacity for each Facility Type (i.e.: elementary, middle, and high) in order for CAPS to be issued, unless Advancement of Capacity is provided as specified in this Ordinance.

Reserve capacity will be calculated on a monthly basis in a report to the County Manager by the Planning Director or designee. Student enrollment will be revised on a monthly basis (on the 30th day of each month) based on information received from Camden County Schools and reported to the County Manager or designee.

Facility Capacity will be updated yearly upon receipt by the County of the superintendent's report, using Total Membership data provided by each school.

E) The applicant for a CAPS shall submit to the Administrator all information reasonably deemed necessary by the Administrator to determine whether a CAPS should be issued.

F) An Administrative Fee of \$25.00 per housing unit will be applied at the time of CAPS application. No CAPS application will be processed until this Administrative Fee is satisfied by cash or check.

G) A CAPS certificate shall vest in the property owner to which it applies the right to build in accordance with this ordinance; and shall insure to the benefit of such owner's successors and assigns, and shall run with the land; provided, however, that a CAPS shall expire upon expiration of the preliminary plat approval or building permit for which it was issued in accordance with the provisions of NCGS 153A-358.

Denial of CAPS and Advancement of Capacity.

A) A CAPS application shall be issued only upon the finding that adequate school facilities exist at the time of application. In the event that such finding cannot be made, a CAPS cannot be issued. In such event, the applicant may, at its option:

- 1) Provide an Advancement of Capacity (AOC) to the County as specified; or
- 2) Appeal the denial of a CAPS certificate as described below; or
- 3) Reapply for a CAPS at the earlier of such time as adequate capacity exists, as determined by the County according to the criteria set forth in LSSACF, or ten (10) years.

B) In the event that a finding of adequate facilities cannot be made such that the Administrator denies an application for a CAPS, the County will issue a CAPS for an initially denied application for the subject property at the earliest of the three following dates:

- 1) June 30th of the year in which the CSCNS and County CIP specifies provision of adequate capacity at the schools in the attendance district(s) over which the CAPS application was denied; or
- 2) Actual provision of adequate capacity at the schools in the attendance district(s) over which the CAPS application was denied; or
- 3) Ten years from the original CAPS application date provided all other conditions of approval specified in this Ordinance are met.

C) If the Administrator determines that a CAPS cannot be issued due to inadequate school capacity, an applicant may obtain a CAPS by providing an Advancement of Capacity (AOC) in the form of:

- 1) A payment as specified in LSSACF; or
- 2) The dedication of land for the purpose of school facility construction provided that such land is located within an area targeted for school construction by the CSCNS and such dedication is approved by the Board of Education; or
- 3) The construction of school facilities in accordance with the CSCNS and with the approval of the Board of Education; or
- 4) Such other contributions as shall be acceptable by the Camden County BOC upon a finding by the BOC that such contribution shall be in keeping with the CSCNS and that such contribution is in the public interest and will otherwise accomplish the goals of this ordinance.

Capital Improvement Program.

A) The County hereby adopts and incorporates by reference the Camden Schools Capital Needs Study (CSCNS).

B) The CSCNS will identify scheduled capacity improvements to Camden County Schools, and it shall establish the capacity of each school in each year.

Dedication of Funding to School Capital Improvements.

A) All funds collected by the AOC established by this Ordinance shall be dedicated to funding of school capital improvements. Said improvements must be in keeping with the CSCNS and must actually expand capacity of schools and not just provide ancillary or support facilities or improve existing facilities.

B) AOC funds shall go towards either debt (i.e.: bond) repayment, or direct capital funding of capacity improvements.

C) If school attendance districts are realigned by the Camden County Board of Education, the CAPS districts identified in this ordinance and LSSACF of this Ordinance shall be automatically redefined and the County Finance Officer shall be charged with reconciliation of AOC funds accordingly.

Appeals Requests.

A) Appeals of CAPS determinations may be made to the Camden County BOC within thirty days of the final CAPS determination in question. Appeal requests must be made in writing to the Administrator. The BOC will review all appeals requests within thirty days of appeal request at an evidentiary hearing before it sitting as a quasi-judicial board. At the evidentiary hearing, the Administrator will present his reasons for the denial of the CAPS and the evidence it relied on in denying the CAPS. The applicant appealing the denial may present its reasons why the CAPS application should have, in its view, been approved and the evidentiary basis it contends supports approval. The BOC may: (1) affirm the decision of the Administrator, (2) remand to the Administrator for further proceedings in the event evidence is presented at the hearing before the BOC not brought before the Administrator, or (3) issue a CAPS. The BOC will only issue a CAPS if it finds that the CAPS should have been issued by the Administrator as prescribed in Attachment A of this Ordinance.

No CAPS shall be issued while a CAPS determination is being appealed until final action of the BOC regarding the appeal.

Updates of Data Used in CAPS and AOC Determination.

Data used in CAPS determinations, including student generation rates, school capacity provision costs, and the CIP schedule of improvements shall be reviewed by November 15th of each calendar year and established by revisions to Attachment A as approved by the BOC.

Applicability and Controlling Legal Authority.

A Memorandum of Understanding (MOU) shall be developed between the County and the Camden County Board of Education within ninety (90) days of adoption of this Ordinance. All signatories to the MOU agree to adopt this Ordinance as an official act of their respective governing body, and enforce its terms within each respective jurisdiction.

Effective Date.

Adopted on February 19, 2007 by the Camden County Board of Commissioners.

This Ordinance shall become effective on April 2nd, 2007.

(SEAL)

Jeffrey B. Jennings, Chairman
Camden County Board Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

Consideration of Special Use Permit Application – UDO 2006-11-24- Athletic Field

Commissioner Mike Andrews made a motion to approve Special Use Permit Application – UDO 2006-11-24 – Athletic Field with conditions as recommended in the Findings of Facts, and as it is in conformity with the Camden County Land Use Plan. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Ordinance No. 2007-01-02 – Rezoning Application – John B. Green – UDO 2006-11-28

Commissioner Mike Andrews made a motion to approve Ordinance No. 2007-01-02 as the rezoning is in compliance with the Camden County Land Use Plan and support quality development reflecting the spectrum of housing needs from low-end affordable residences to high end luxury residences. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2007-01-02 reads as follows:

Ordinance No. 2007-01-02

**An Ordinance
Amending the Camden County
Zoning Map
Camden County, North Carolina**

Article I: Purpose

The purpose of this Ordinance is to amend the Zoning Map of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 20, 1993, and subsequently amended.

Article II. Amendment to Zoning Map

The Official Zoning Map of Camden County, North Carolina, which was adopted on December 20, 1993, and subsequently amended, is hereby amended as follows:

The properties currently shown in the Camden County Tax Assessor’s Office as Parcel Identification Numbers (PIN) 03-8972-00-23-7327, 03-8972-00-23-7527, 03-8972-00-23-5612, 03-8972-00-23-2621, 03-8972-00-23-1293, 03-8972-00-23-4364, 03-8972-00-23-3342, and 03-8972-00-23-3679 are hereby re-zoned from General Use District (GUD) to Mixed Single Family Residential (R2).

Article III. Penalty

1. Violations of the provision of this Ordinance or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances or Special Use or Conditional Use Permits, shall constitute a misdemeanor, punishable by a fine of up to five-hundred (\$500) dollars or a maximum thirty (30) days imprisonment as provided in G. S. 14-4.
2. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or Special Use or Conditional Use Permits, shall also subject the offender to a civil penalty of one-hundred (\$100) dollars for each day the violation continues. If the offender fails to pay the penalty within ten (10) days after being cited for a violation, the penalty may be recovered by the county in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with Article 151.568 and did not take an appeal to the Board of Adjustment within the prescribed time.
3. This Ordinance may also be enforced by any appropriate equitable action.
4. Each day that any violation continues after notification by the administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this section.
5. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

Article IV. Severability

If any language in this Ordinance is found to be invalid by a court of competent jurisdiction or other entity having such legal authority, then only the specific language held to be invalid shall be affected and all other language shall be in full force and effect.

Article V. Effective Date

This Ordinance is effective upon adoption.

Adopted by the Board of Commissioners for the County of Camden this 19th day of February, 2007.

(SEAL)

County of Camden

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

Budget Amendments – 2006-07-BA021, 2006-07-BA022, 2006-07-BA023, 2006-07-BA024 and 2006-07-BA025

Commissioner Melvin Jeralds asked that once a budget amendment is presented and approved by the Board at one meeting that it be a matter of procedure that the amendment to the annual budget ordinance is brought back for approval at the following Commissioners meeting.

2006-07-BA021

Commissioner Melvin Jeralds made a motion to approve budget amendment 2006-07-BA021. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2006-07-BA021
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
105000-574000	Capital Outlay/Painting	\$12,000.00	

Approved at October 16, 2006 Commissioners Meeting.

This will result in a decrease of \$12,000.00 in the Contingency of the General Fund.

Balance in Contingency \$38,622.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 19th day of February, 2007.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2006-07-BA022

Commissioner Mike Andrews made a motion to approve budget amendment 2006-07-BA022. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2006-07-BA022
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
105100-546300	Juvenile Detention	\$8,897.00	

This will result in a decrease of \$8,897.00 in the Contingency of the General Fund.

Balance in Contingency \$29,725.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 19th day of February, 2007.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

2006-07-BA023

Commissioner Mike Andrews stated for the record that the Commissioners moved a night meeting to days to save the county money, now the county is getting ready to spend \$7,841.00 because the sun is too bright for the morning meeting.

Chairman Jeffrey Jennings stated purchasing blinds are not because of the Commissioners day meeting but because other meetings and court is held in the Historic courtroom and further stated that he did not disagree that it was an expensive amount for the blinds.

Following discussion, Chairman Jeffrey Jennings laid budget amendment 2006-07-BA023 over until March 19, 2007.

2006-07-BA024

Commissioner Mike Andrews made a motion to approve budget amendment 2006-07-BA024. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2006-07-BA024
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

Section 1. To amend the Social Services Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
528000-538100	TANF Domestic Violence	\$1,500.00	
Revenues:			
State Funding Increased			
52330610-434829	TANF Domestic Violence	\$1,500.00	

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 19th day of February, 2007.

Clerk to Board of Commissioners Chairman, Board of Commissioners

2006-07-BA025

Commissioner Mike Andrews made a motion to approve budget amendment 2006-07-BA025. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2006-07-BA025
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2007.

Section 1. To amend the General Fund, the expenditures are to be changed as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
105900-596000	Home/Community Care Match	\$883.00	
109990-500000	Contingency		\$883.00

This will result in a decrease of \$883.00 in the Contingency of the General Fund.

Balance in Contingency \$28,842.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 19th day of February, 2007.

Clerk to Board of Commissioners Chairman, Board of Commissioners

Distribution Data Verification for Beer, Unfortified Wine and Fortified Wine Excise Tax – April 1, 2006 – March 31, 2007

Commissioner Melvin Jeralds made a motion to authorize the Chairman to execute the necessary Distribution Data Verification Form for submission to the North Carolina Department of Revenue. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Budget Amendments - Camden County Board of Education

Commissioner Mike Andrews made a motion to approve the budget amendments to the State Public School Fund and Federal Grant Fund. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Budget Amendment
Camden County Schools Administrative Unit
Federal Grant Fund

The Camden County Board of Education at a meeting on the 11th day of January 2007, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2007.

Code Number	Description of Code	Amount	
		Increase	Decrease
5100	Regular Instructional Programs	29,398.00	
5200	Special Instructional Programs	976.00	
5800	Student Services	18,582.00	
5900	Other Instructional Programs	19,919.00	
6200	Instructional Support Services	100.00	
6300	Administrative Support Services		100.00
6500	Business Support Services	1,030.00	
6900	Other Supporting Services	2,099.00	
8100	Pymts to Other Govt Units	2,413.00	
8200	Unbudgeted Funds	10,412.34	
Explanation:			
Total Appropriation in Current Budget		\$ 676,183.00	
Amount of Increase/Decrease of Above Amendment		84,829.34	
Total Appropriation in Current Amended Budget		\$ 761,012.34	

Passed by majority vote of the Board of Education of Camden County on the 11th day of January 2007.

We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this 19th day of February, 2007.

Chairman, Board of Education

Chairman, Board of County Commissioners

Secretary, Board of Education

Secretary, Board of County Commissioners

Budget Amendment
Camden County Schools Administrative Unit
Local Current Expense Fund

The Camden County Board of Education at a meeting on the 11th day of January, 2007, passed the following resolution.

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2007.

Code Number	Description of Code	Amount	
		Increase	Decrease
5100	Regular Instructional Program		11,767.00
6600	Central Support Services		1,552.00
7100	Community Services	1,552.00	
Explanation:			
Total Appropriation in Current Budget		\$ 2,236,249.00	
Amount of Increase/Decrease of Above Amendment		11,767.00	

Total Appropriation in Current Amended Budget		\$ 2,224,482.00
Passed by majority vote of the Board of Education of Camden County on the 11 th day of January 2007.	We the Board of County Commissioners of Camden County hereby approve the changes in the County School Funds Budget as indicated above, and have made entry of these changes on the minutes of said Board, this 19 th day of February, 2007.	
Chairman, Board of Education	Chairman, Board of County Commissioners	
Secretary, Board of Education	Secretary, Board of County Commissioners	

Tax Releases, Pick Ups and Refunds

Commissioner Melvin Jeralds made a motion to approve the tax releases, pick ups and refunds as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Barton Philpott	182.50	Release	Military Exempt
Carrie Harrell	103.61	Release	Wrong County
Carrie Harrell	277.14	Release	Wrong County
Justin Gregory	155.01	Release	Military Exempt
Allen Silvis	111.35	Release	Turned in Plates
Crystal Taber	285.18	Release	Military Exempt
Birdie Golf	152.67	Pick Up	Wrong County
Andy Stone	103.99	Refund	Turned in Plates
Adroit Utilities	161.54	Refund	Turned in Plates
Adroit Utilities	169.09	Refund	Turned in Plates
Adroit Utilities	140.81	Refund	Turned in Plates
John Propster	1,475.73	Release	Incorrect Value
	1,147.70	Pick Up	
	- 328.03	Adjustment	

Tax Collection Report – January 2007

Commissioner Mike Andrews made a motion to approve the tax collection report for January 2007 in the amount of \$479,566.95 as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Refunds to be Issued by the Finance

Commissioner Philip Faison approve made a motion to approve the refunds to be issued by the Finance Office in the amount of \$4,887.99. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Liens on Real Property and Set Advertising Dates for Lien Ads

Commissioner Melvin Jeralds made a motion to accept the 2006 tax liens on real property. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Mike Andrews made a motion to set March 20, 2007 to advertise the tax liens on real property in the Daily Advance. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Set Dates for Board of Equalization and Review

Commissioner Mike Andrews made a motion to convene the Board of Equalization and Review on April 2, 2007 and adjourn the Board of Equalization and Review on May 2, 2007. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Melvin Jeralds made a motion to set the dates to hear tax appeals on April 2, 2007 after the Board of Commissioners meeting and April 4, 2007 at 7:00 p.m. and review the properties on April 5, 2007 at 8:00 am.

Tax Administrator Mary Rhodes stated that a representative from the Department of Revenue would like to come before the Board on April 2, 2007 prior to the Board of Equalization and Review hearings to advise the Board on how to hold the hearings.

Hearing no objection, Chairman Jeffrey Jennings so ordered Ms. Rhodes to contact the representative from NC Department of Revenue to be present at the April 2, 2007 Commissioners meeting.

County Historian

Commissioner Carolyn Riggs made a motion to appoint Alex Leary as County Historian. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Chairman Jeffrey Jennings directed the Clerk to send a letter to Mr. Leary informing him of his appointment as County Historian and to retain all receipts for reimbursement of expenses.

Donation – Education Foundation

Commissioner Melvin Jeralds made a motion to approve a \$300.00 donation to the Education Foundation to support their annual fundraiser Mystery Dinner Theater to be held on March 2nd, 3rd and 4th, and each Commissioner will be responsible for paying for their own tickets. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Albemarle Mental Health - Presentation of Audit Report FY June 30, 2006

Commissioner Mike Andrews made a motion to acknowledge into the record the Albemarle Mental Health Audit Report for FY June 30, 2006. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Albemarle Mental Health - 2nd Quarter FY 2006-07 Fiscal Monitoring Report

Commissioner Melvin Jeralds made a motion to accept into the record the Albemarle Mental Health 2nd Quarter FY 2006-07 Fiscal Monitoring Report. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Resolution No. 2007-02-03 A Resolution of the Camden County Board of Commissioners Authorizing Removal of Certain Public Record Books Kept by the Camden County Register of Deeds for the Purpose of Repair, Restoration and Rebinding

Commissioner Carolyn Riggs made a motion to approve Resolution No. 2007-02-03. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Resolution No. 2007-02-03 reads as follows:

Resolution No. 2007-02-03

**A RESOLUTION OF THE CAMDEN COUNTY BOARD OF COMMISSIONERS
AUTHORIZING REMOVAL OF CERTAIN PUBLIC RECORD BOOKS
KEPT BY THE CAMDEN COUNTY REGISTER OF DEEDS
FOR THE PURPOSE OF REPAIR, RESTORATION AND REBINDING**

WHEREAS, NCGS 132-7 provides that books of public records should be copied or repaired, renovated or rebound if mutilated, damaged or difficult to read; and

WHEREAS, there is identified certain books of public records maintained by the Register of Deeds in need of repair, restoration and rebinding; and

WHEREAS, Brown’s River Records Preservation Services is under contract to provide repair, restoration and rebinding of these certain books of public records.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR CAMDEN COUNTY, NORTH CAROLINA, that

Section 1. The Register of Deeds is authorized to remove or cause to be removed to the care and custody of Brown’s River Records Preservation Services for repair, restoration and rebinding the following books of public record:

- Deed Book 21
- Deed Book 16
- Deed Book 54

Section 2. The books of public records listed in Section 1 of this resolution may remain in the care and custody of Brown’s River Records Preservation Services for the length of time required to repair, restore or rebind them.

Section 3. This resolution is effective upon its adoption.

ADOPTED THE 19th day of February, 2007.

(SEAL)

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

Ava J. Gurganus
Clerk to the Board

Surplus Sale Items

Chairman Jeffrey Jennings stated the following items were being submitted as surplus:

- | | |
|--|---------------|
| 1999 Black Ford Crown Vic #2FAFP71W4XX122881 | 133,356 miles |
| 2001 White Ford Crown Vic #2FAFP71W61X116474 | 131,388 miles |
| 2003 White Ford Crown Vic #2FAFP71W23X142248 | 117,537 miles |
| (3) Desks | |
| (1) Lighted Map Table | |
| (3) Voting Boxes | |
| (1) Used Air Conditioning Unit | |
| (1) Safe | |
| (1) Typewriter | |
| (1) Copy Machine | |

Sheriff Perry stated he had other items to add to the surplus sale and asked for time to prepare them for one sale.

Commissioner Melvin Jeralds made a motion to declare the items presented as surplus and delegated the authority to Chairman Jeffrey Jennings for approval of the extra items to be presented for sale by Sheriff Perry at a later date. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Mike Andrews made a motion to set bid date for March 28, 2007 and advertise in the Daily Advance. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

County Manager's Report

County Manager Randell Woodruff discussed the scheduling of a work session for updating the Capital Improvement Plan.

Hearing no objection, Chairman Jeffrey Jennings so ordered the matter be put on April 2, 2007 agenda.

Closed Session

Commissioner Mike Andrews made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the Purpose of Consulting with County Attorney within the scope of Attorney-Client Privilege, pursuant to G.S. 143-318.11(a)(6) for the Purpose of Discussing Personnel, and pursuant to G.S. 143-318.11(a)(4) for the purpose of discussing industrial recruitment. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 9:05 p.m.

Commissioner Carolyn Riggs made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 10:17 p.m.

Adjournment

Chairman Jeffrey Jennings called for any motions.

Hearing no motions, Commissioner Mike Andrews made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Carolyn Riggs, Mike Andrews, Philip Faison and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 10:18 p.m.

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board